

California Health and Human Services Agency



Implementation of AB 27: Creating a Long-Term Care Information Infrastructure Blueprint

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**Gray Davis
Governor
State of California**

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TO: ALL INTERESTED PARTIES

FROM: GRANTLAND JOHNSON

DATE: January 1, 2001

**SUBJECT Implementation of AB 27: Creating a Long Term Care
Information Infrastructure Blueprint**

I am pleased to present to you the California Health and Human Services Agency's Report on the Implementation of AB 27 (Nakano), Chapter 950 Statutes of 1999.

This progress report summarizes the steps this Agency is taking, particularly under the Long Term Care Council, to implement the requirements of AB 27.

Utilizing information technology for more effective access to consumer information, service delivery, and public policy development are key components in the Long Term Care Council's Mission and Values Statements. The Council will continue its AB 27 implementation efforts in the coming year through its established workgroups and in collaboration with other potential partners who are also addressing these issues.

I hope this report will be helpful to the Legislature in its own planning efforts.

Enclosure

Creating a Long Term Care Information Infrastructure Blueprint

Statutory Requirements

AB 27 (Chapter 950 Statutes of 1999) requires the California Health and Human Services Agency (CHHS) to analyze how information technology (IT) could be utilized to achieve the following objectives:

1. provide consistent information and referrals to consumers seeking information on long term care service options, availability, and eligibility requirements;
2. develop a core client services record that contains key assessment and care planning information;
3. transmit core client information from one agency to another when making a service referral;
4. create a long term care data “warehouse” at the state level to facilitate state and regional long term care planning, development, and evaluation.

The statute requires that this blueprint include the following tasks:

1. a data inventory of the current public long term care programs;
2. an evaluation of the information technology currently available to accomplish objectives 1-4 above;
3. a cost benefit analysis of the IT options identified; and
4. a proposal detailing incremental steps, and the corresponding budgetary outlays, that would be required to develop this long term care information infrastructure.

In developing this blueprint, the statute requires CHHS to contract with a consulting firm that had successfully assisted other states in this type of IT development. AB 27 contains a provision stating that this effort should encourage and allow concurrent implementation of the Long Term Care Integration Pilot Program specified in Welfare and Institutions Code Section 14139.05 et seq.

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Statutory Requirements (cont.)

CHHS was also required to submit a report to the Legislature by January 1, 2001 on the progress to date in developing this blueprint.

HIPPA Impact

The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), also known as HIPPA, was enacted to provide incremental health care reform. Two issues addressed in HIPPA, the standardizing the interchange of electronic data for administrative and financial transactions and the protection of security and confidentiality of electronic health information, will impact the implementation of AB 27.

In October 1999, the DHHS draft privacy standards were issued. More than 50,000 public comments on the draft regulations were submitted. The final rule governing on this portion of the HIPPA requirements was promulgated December 20, 2000.

In the draft regulations, all health care providers who transmit health information electronically, health plans, and health care clearinghouses to must comply with these standards. The final version of the regulations extends the compliance requirements to include paper records and oral communication. Given the broader scope of the final regulations, some time will be required to fully analyze the full implication of these expanded provisions.

HIPPA will have a significant impact on health programs administered by several state departments. Compliance is required within the 24 months.

The intent of this section of HIPPA and AB 27 are certainly not in conflict. HIPPA does allow for health information to be used and shared easily for the treatment and payment of health care. However, in implementing AB 27, the CHHS must ensure that any proposed state IT strategies will comply with the new HIPPA standards governing information security, privacy, and electronic data interchange.

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Long Term Care Council's Role

AB 452 (Chapter 895 Statutes of 1999) required the CHHS to establish a Long Term Care Council, chaired by the Secretary of the CHHS, and comprised of the Directors of the Departments of Aging, Developmental Services, Health Services, Mental Health, Social Services, Veterans Affairs, and the Office of Statewide Health Planning and Development.

One of the Council's key roles is to create a coordinated long term care strategic plan across these departments. AB 452 also sets improving access to long term care consumer information to be among the Council's highest priorities. This compliments AB 27's first objective focused on utilizing IT to improve consumer access to long term care service information.

The Council was established in Spring 1999. A separate report on the Council's activities to date has been submitted to the Legislature and can be accessed on line at "chhs.ca.gov." Implementing AB 27 are among the Council's core priorities in its first year.

AB 27 Implementation Activities

The Long Term Care Council has established several work groups to address core priority issues. One work group focuses on long term care data issues. Another focuses on improving coordination among home and community-based long term care services at the local level. The issues addressed by these two work groups will intersect at certain points and will be coordinated.

Together, these workgroups are addressing tasks specified in AB 27, which include, but are not limited to the following:

Task I--Long Term Care Data Inventory AB 27 requires an analysis of the data currently being collected by the various long term care programs. This type of inventory is needed for any IT infrastructure analyses. The Data Work Group began meeting in December 2000. Its first assignment is to develop an appropriate data inventory tool, test and disseminate the tool; and then collect and produce the inventory. This task will be completed by June 30, 2001.

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AB 27 Implementation Activities (cont.)

Client Confidentiality Issues Objective 2 and 3 in AB 27 focus on utilizing IT to improve coordination between one agency and another in making client referrals and better coordination when multiple agencies provide services to a client. A critical issue that must be resolved is what types of information can be legally shared among these agencies and what privacy assurances and safeguards need to be established. As noted previously, the new HIPPA standards must be included in this analysis.

The Council's Data Work Group and the Coordinating Local Care Systems Work Group will be examining other innovative programs seeking to create better coordinated services to high-risk children, the TANF population, etc. to determine whether these initiatives have developed successful "best practices" pertaining to client information sharing that can be adopted to improve long term care coordination at the local level.

Internet Access to Information Objective 1 of AB 27 focuses on utilizing IT for more consistent and accessible consumer information. Over the past several months, several departments represented on the Council have dedicated considerable staff resources to creating the State of California's Internet Web Portal to provide consumer long term care information.

During this initial phase, long term care information was developed that includes:

- a brief description of several home and community based programs (with links to the appropriate departments' sites); and
- a searchable database that can be used to find adult day care, residential care, and skilled nursing care throughout the state.

In the planned second phase, more extensive information on home and community-based options will be added to the site. A Council work group on consumer long term care information will be initiated in January 2001 to explore what types of information is most relevant and useful to consumers and how to best present this information.

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AB 27 Implementation Activities (cont.)

As state level information on long term care options expands on the Internet, local communities can build on this available information, augmenting it with more specific information on local long term care services and options. If local agencies take this approach, a comprehensive set of options would be available to consumers directly via the internet and for local agencies to utilize in providing consumer information and referral.

If local communities build on the state's efforts, this e-government web site can begin to fulfill one of AB 27's key goals: utilizing IT to provide consistent information and referrals to consumers seeking long term care assistance.

Long Term Care Data Warehouse Objective 4 requires the long term care information infrastructure blueprint to explore the creation of a long term care data warehouse at the state level to aid in strategic planning, development and evaluation. The Long Term Care Council will be mindful of this objective as it undertakes its immediate activities. However, at this point, the concept of a long term care data warehouse is premature. Many incremental steps will be needed before a realistic cost benefit of this concept can even be completed.

Conclusion

The CHHS Long Term Care Council will continue its AB 27 implementation efforts in the coming year through its established workgroups and in collaboration with other potential partners who are also addressing these issues.
